

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ANNETTE MONTTOYA,

Plaintiff,

v.

Civ. No. 98-899 JP/WWD

**LAS VEGAS CITY SCHOOLS,
LAS VEGAS, NEW MEXICO,**

Defendant.

MEMORANDUM OPINION AND ORDER

At a pretrial conference held May 24, 1999, Ilene Chase represented the Plaintiff, who was present, and Jonlynn Martinez and Bill Slease represented the Defendant.


At the pretrial conference I stated that Defendant's motion in limine to exclude evidence of the birth defect of Plaintiff's child (Doc No. 39) should be granted because that evidence is not relevant to any issue in this lawsuit. I stated that Defendant's motion in limine to exclude evidence of other claims or lawsuits against Defendant (Doc. No. 44) should be denied as moot because Plaintiff does not intend to introduce evidence of such claims or lawsuits. I withheld ruling on Defendant's other motions in limine until I receive further briefing from the parties.

The parties agreed that the Plaintiff's motion for sanctions (Doc. No. 48) should be resolved by another judge after the trial of this matter. However, the parties should depose Linda Halouzka in Las Vegas at a time that is convenient to her and at a time when Chief Magistrate Judge Deaton will be available to resolve any disputes that may arise. The deposition should be conducted by mid-June.

Furthermore, the parties must exchange lists of witnesses they will call at trial no later than June 7, 1999.

IT IS THEREFORE ORDERED that:

- (1) Defendant's motion in limine to exclude evidence of the birth defect of Plaintiff's child (Doc No. 39) is GRANTED; and
- (2) Defendant's motion in limine to exclude evidence of other claims or lawsuits against Defendant (Doc. No. 44) is DENIED as moot because Plaintiff will not offer evidence of other claims or lawsuits.


UNITED STATES DISTRICT JUDGE